

### **REMARKS/ARGUMENTS**

Claims 1 to 11 and 21 to 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring, U.S. Patent No. 3,722,336, in view of Kile et al., U.S. Patent No. 3,122,041.

Reconsideration of the application in view of the following remarks is respectfully requested.

#### **35 U.S.C. §103(a) Rejections**

Claims 1 to 11 and 21 to 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring, U.S. Patent No. 3,722,336, in view of Kile et al., U.S. Patent No. 3,122,041.

Sarring shows feed, transport and delivery mechanisms for a two-station, three-knife book trimmer. (See col. 1; lines 5 to 7).

Kile et al. discloses a magazine trimmer including a base A, a reciprocating table B carried on the base, a crank supported trimming blade assembly C which reciprocates table B through roller guides which act as a scotch yoke, an infeed assembly F and a carrier assembly G. As seen in Fig. 4, a clamp mechanism D is carried directly upon table B, as is a stop mechanism E. (See Fig. 1 and col. 2, lines 39 to 46).

#### **Independent Claim 1**

Claim 1 recites “[a] transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a moving side table of the sheet material article trimmer, the moving side table carrying the sheet material article; and

a driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction.”

The Examiner alleges that upper belts 1008, 1009, 1010 of Sarring correspond to the “transfer element” recited in claim 1, but acknowledges that upper belts 1008, 1009, 1010 do not

“move the sheet material article in a transfer direction onto a moving side table” as recited in claim 1. The Examiner then appears to assert that upper belts 1008, 1009, 1010 place books on lower belts 1290, 1292, 1294 and that it would have been obvious to one of skill in the art to have replaced lower belts, 1290, 1292, 1294 with a reciprocating table B of Kile to meet the limitations of claim 1.

It is respectfully submitted that one of skill in the art would not have replaced lower belts 1290, 1292, 1294 of Sarring with reciprocating table B of Kile. Sarring teaches that upper belts 1008, 1009, 1010 and lower belts 1290, 1292, 1294 are driven to transport books intermittently in a transport direction, first stopping so a first book can be front-trimmed and then stopping so the first book can be side-trimmed. As the first book held by belts 1008, 1009, 1010, 1290, 1292, 1294 is being front-trimmed, a preceding second book held by belts 1008, 1009, 1010, 1290, 1292, 1294 is being side trimmed. (Col. 42, line 48 to line 67). Reciprocating table B of Kile reciprocates back and forth, moving in a transport direction and then away from a transport direction. Replacing lower belts 1290, 1292, 1294 of Sarring with reciprocating table B of Kile would make the modified apparatus of Sarring inoperable for its intended purpose. (See MPEP 2143.01). The modified apparatus would not be able to transport books intermittently in a transport direction so one book in contact with belts 1008, 1009, 1010 could be front-trimmed while a preceding book in contact with belts 1008, 1009, 1010 is side-trimmed. The desired intermittent movement of books and simultaneous and coordinated operation of the front and side knives in Sarring would not be possible because the constant reciprocating movement of reciprocating table B of Kile could not be synchronized with belts 1008, 1009, 1010 and the front and side knives in Sarring.

Furthermore, it is respectfully submitted belts 1008, 1009, 1010 of Sarring are not configured to “grip the sheet material article and move the sheet material article in a transfer direction onto a moving side table” as recited in claim 1. Belts 1008, 1009, 1010 of Sarring merely contact a top surface of the books and are clearly not alone configured to “grip” the books. In order to grip the books, belts 1008, 1009, 1010 need to be used with lower belts 1290, 1292, 1294, which in the Examiner’s alleged combination, are removed and replaced by reciprocating table B of Kile, which the Examiner asserts corresponds to the “side table” of claim

1. Thus, no combination of belts 1008, 1009, 1010 of Sarring and reciprocating table B of Kile would disclose or make obvious “a **transfer element** configured to **grip** the sheet material article and move the sheet material article in a transfer direction **onto a moving side table**” as recited in claim 1.

Based on the foregoing, withdrawal of the rejection under 35 U.S.C. 103(a) of claims 1 to 8, 10 and 21 to 24 is respectfully requested.

Dependent Claim 8: Argued Separately

Claim 8 recites “[t]he transfer apparatus as recited in claim 7 wherein the at least one continuous belt includes an upper belt and a lower belt for engaging the sheet material article therebetween.”

The Examiner alleges that to meet the limitations of claim 1, upon which claim 8 is dependent, one of skill in the art would have replaced lower belts, 1290, 1292, 1294 of Sarring with a reciprocating table B of Kile. Then, in rejecting claim 8, the Examiner alleges that lower belts 1294 corresponds to the “lower belt” of claim 8. It is respectfully submitted that the Examiner’s reliance on lower belt 1294 as being the “lower belt” of claim 8 is improper because in the Examiner’s alleged combination, the Examiner explicitly removed lower belt 1294. Thus, claim 8 would not have been obvious in view of Sarring and Kile.

For this reason also, withdrawal of the rejection under 35 U.S.C. 103(a) of claim 8 is respectfully requested.

Independent Claim 25

Independent claim 25 recites “[a] transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a side table of the sheet material article trimmer, the side table carrying the sheet material article; and

a driver configured to move the transfer element at a same speed as the side table during a first time period when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction;

the driver including an epicycle gear unit, the epicycle gear unit including a constant speed input member driven by a main trimmer drive of the sheet material article trimmer and a variable speed input member configured for varying an output of the epicycle gear unit so as to vary a speed of the transfer element.”

As discussed above, it is respectfully submitted that one of skill in the art would not have replaced lower belts 1290, 1292, 1294 of Sarring with reciprocating table B of Kile because replacing lower belts 1290, 1292, 1294 of Sarring with reciprocating table B of Kile would make the modified apparatus of Sarring inoperable for its intended purpose. Also, because belts 1008, 1009, 1010 of Sarring are clearly not alone configured to “grip the sheet material article and move the sheet material article in a transfer direction onto a side table” as recited in claim 25, no combination of belts 1008, 1009, 1010 of Sarring and reciprocating table B of Kile would disclose or make obvious “a **transfer element** configured to **grip** the sheet material article and move the sheet material article in a transfer direction **onto a side table**” as recited in claim 25.

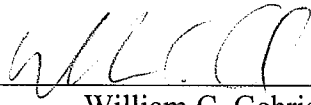
Based on the foregoing, withdrawal of the rejection under 35 U.S.C. 103(a) of claim 25 is respectfully requested.

**CONCLUSION**

It is respectfully submitted that the present application is now in condition for allowance, and Applicants respectfully request such action.

Respectfully submitted,

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